



MAYOR AND COUNCIL AGENDA

NO. 9 DEPT.: Community Planning and Development Services / Legal DATE PREPARED: 5/25/05
STAFF CONTACT: Deane Mellander FOR MEETING OF: 6/6/05

SUBJECT: MAP2004-00090: Adoption of ordinance to grant a Sectional Map Amendment to zone 27.08 acres, more or less, to the Rockville Pike Commercial (RPC) Zone, which includes the area known as Twinbrook Metro Station site of the Washington Metropolitan Area Transit Authority (WMATA), owner, including 6,336 square feet of property known as Part of Lots 13 and 14, Block B, Spring Lake Park Subdivision, and a portion of Ardennes Avenue right-of-way, Montgomery County, Maryland, owners. Mayor and Council of Rockville, applicant.

RECOMMENDATION: Adopt ordinance.

DISCUSSION: Twinbrook Commons L.L.C. and WMATA have entered into a joint development agreement to develop the 26-acre WMATA owned property at the Twinbrook Metro Station. The applicant is proposing a mixed-use residential, office, and retail transit oriented development. Currently, 16.95 acres of the project are in Montgomery County. The portion of the proposed development within the City on the west side of the tracks is 8.36 acres. There is also a 1.77-acre parcel within the City of Rockville on the east side of the tracks that is commonly referred to as the Suburban Propane site. The portion of the project located in the County is being annexed and will be placed in the RPC Zone and the Metro Performance District.

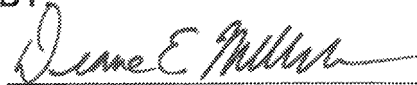
Utilizing this Sectional Map Amendment procedure, the City will obtain the ability to rezone the Suburban Propane site, from I-2 to RPC along with the property that is the subject of annexation. In addition a portion of Ardennes Avenue is being annexed (approximately .77 acres), for a total project area of 27.08 acres.

Other information regarding the Twinbrook Commons development can be obtained in associated cases that include the Annexation petition (ANX2004-00136), the Preliminary Development Plan (PDP2004-00009), and the Text Amendment case (TXT2004-00213). The Mayor and Council approved the PDP and zoning text amendment at their meeting on April 4, 2005.

Boards and Commissions Review: The Planning Commission reviewed this item at its meeting on December 15, 2004, and recommended approval.

Next Steps: Adopt ordinance.

PREPARED BY:

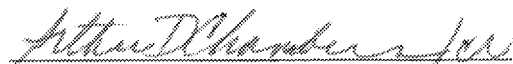


Deane Mellander, Acting Chief of Planning

6/1/05

Date

APPROVE:

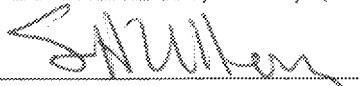


Arthur D. Chambers, AICP, Director

6/1/05

Date

APPROVE:



Scott Ullery, City Manager

6/02/05

Date

LIST OF ATTACHMENTS:

1. Ordinance.
2. Location map.

Ordinance No. _____

ORDINANCE:

To grant Sectional Map Amendment Application MAP2004-00090, as amended, Mayor and Council of Rockville, applicant

WHEREAS, on February 8, 1982, the Mayor and Council adopted the Twinbrook Neighborhood Plan as an amendment to the adopted 1970 Master Plan for the City of Rockville; and

WHEREAS, on October 25, 1993 the Mayor and Council adopted a new Master Plan for the City that adopted by reference the 1982 Twinbrook Neighborhood Plan; and

WHEREAS, on November 12, 2002, the Mayor and Council again adopted a new Master Plan for the City of Rockville (hereinafter the "2002 Master Plan"); and

WHEREAS, the 2002 Master Plan identified the Twinbrook Metro Station site as Critical Site #4. Such site consists of approximately 8.36 acres owned by WMATA on the west side of the metro rail tracks (hereinafter "City West-Side WMATA Property") and approximately 1.77 acres owned by WMATA (formerly known as the Suburban Propane site) on the east side of the metro rail tracks. WMATA also owns approximately 16 acres on the east side of the metro rail tracks, which at that time was located immediately outside the City boundaries but within the City's Urban Growth Boundary (hereinafter "County East-Side WMATA Property"); and

WHEREAS, the 2002 Master Plan recommended that the City West-Side WMATA Property retain its existing RPC (Rockville Pike Commercial)/Metro Performance District designations, and that the 16-acre County East-Side WMATA property be annexed into the City and placed in the Metro Performance District and the

RPC and the RPR (Rockville Pike Residential) zones and be developed under the Optional Method of Development; and

WHEREAS, the 2002 Master Plan further recommended that the former Suburban Propane property on the east side of the metro tracks be zoned under the RPC/Twinbrook Metro Performance District designation if it is developed in conjunction with the other parcels owned by WMATA as part of a comprehensive development plan; if however, the former Suburban Propane property is developed independently of the other WMATA parcels it should be rezoned to O-2; and

WHEREAS, on August 4, 2003, the Mayor and Council adopted Ordinance 23-03 granting Comprehensive Map Amendment Application MAP2003-00087, as amended, comprehensively zoning the entire City; and

WHEREAS, Ordinance 23-03 generally implemented the recommendations contained in the 2002 Master Plan, except that it deferred rezoning of the former Suburban Propane site pending the filing and consideration of a proposal to develop such property as part of the comprehensive development of all WMATA-owned properties in the area under an optional method of development; and

WHEREAS, Twinbrook Commons, L.L.C. and WMATA have entered into a Joint Development Agreement for the comprehensive development of all of the property owned by WMATA at or near the Twinbrook metro station, along with an additional 6,336 square feet to be acquired by Twinbrook Commons, L.L.C., such comprehensive development encompassing approximately 26 acres, more or less, and being known as "Twinbrook Commons;" and

WHEREAS, on July 21, 2004 WMATA petitioned the Mayor and Council to annex the approximately 16- acre County East-Side WMATA Property, the 6,336 square feet property to be acquired by Twinbrook Commons, L.L.C., plus a portion of the Ardennes Avenue right-of-way, totaling 16.96 acres, more or less (hereinafter the "Annexed Property"); and

WHEREAS, on April 4, 2005 the Mayor and Council adopted Ordinance 5-05 granting Text Amendment Application TXT2004-00213, establishing a Twinbrook Metro Performance District Optional Method of Development, and adopted Resolution 9-05 approving a Preliminary Development Plan for the development of Twinbrook Commons under the Twinbrook Metro Performance District Optional Method of Development, said Text Amendment and Preliminary Development Plan approval to become effective upon the effective date of the annexation of the Annexed Property; and

WHEREAS, on May 9, 2005, the Mayor and Council adopted Resolution No. 12-05 enlarging the corporate boundaries of the City to include the aforesaid Annexed Property, which annexation shall become effective in accordance with the provisions of State law; and

WHEREAS, on June 6, 2005, the Mayor and Council adopted Ordinance No. _____ amending the Zoning Map for the City of Rockville to include the Annexed Property and placing the Annexed Property in the RPC (Rockville Pike Commercial) Zone and within the Twinbrook Metro Performance District; and

WHEREAS, the Mayor and Council of Rockville filed Sectional Map Amendment Application No. MAP2004-00090 requesting that the entire area comprising the Twinbrook Commons development consisting of 26 acres more or less (said area

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being generally described as that area bounded by Chapman Avenue on the west, Halpine Road and Halpine Square townhouses on the north, Ardennes Avenue and the corporate boundary of the City on the east and Thompson Avenue on the south), be comprehensively rezoned in accordance with the map attached hereto; and

WHEREAS, said Sectional Map Amendment Application No. MAP2004-00090, by rezoning the former Suburban Property from the I-2 Zone to the RPC Zone and by confirming the RPC Zone designation of the Annexed Property and of the City West-Side WMATA Property, will unify and facilitate the comprehensive development of all of the Twinbrook Metro WMATA-owned property in accordance with the recommendations of the 2002 Master Plan; and

WHEREAS, at its meeting of December 15, 2004, the City of Rockville Planning Commission reviewed said sectional map amendment application and recommended approval in a memorandum dated December 16, 2004; and

WHEREAS, the Mayor and Council gave notice that a public hearing on said application would be held by the Mayor and Council of Rockville in the Council Chambers of Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland 20850 on January 10, 2005, or as soon thereafter as it may be heard, at which parties in interest and citizens would have an opportunity to be heard, said notice having been given in accordance with the requirements of Article 66B of the Annotated Code of Maryland and the Zoning and Planning Ordinance of Rockville; and

WHEREAS, the Mayor and Council held a hearing on said application at the time and place so advertised and has considered the testimony presented at the public hearing as well as the entire record of the proceedings; and

WHEREAS, the proposed zoning and development of the property comprising the approximately 26-acre Twinbrook Commons development project has been extensively and carefully studied and evaluated, with consideration being giving to the common needs of the area, and is consistent with the public interest; and

WHEREAS, the Mayor and Council having found and determined that the sectional map amendment, as amended, as set forth on the map attached hereto, will promote the public health, safety and general welfare of the City, its citizens and visitors; and

WHEREAS, the Mayor and Council of Rockville having further found and determined that the adoption of the sectional map amendment, as amended, as set forth on the map attached hereto, is substantially in accordance with the 2002 Master Plan, and will serve to effectuate the purposes, and implement the goals, objectives and policies of said Plan and of Text Amendment Application TXT2004-00213.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, as follows:

1. That Sectional Map Amendment Application MAP2004-00090, as amended, for the comprehensive rezoning of the portion of the Rockville Pike Corridor located within the Metro Performance District and known as Twinbrook Commons, is hereby granted as set forth on the map attached hereto; and

2. That the Zoning Map of the City of Rockville, Maryland dated January 1, 1975, as amended by comprehensive map amendment as of August 4, 2003, be, and the same is hereby, amended in accordance with the map attached hereto; and

Ordinance No. _____

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3. That this Sectional Map Amendment, as amended, shall become effective upon the effective date of the annexation of the Annexed Property.

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Mayor and Council at its meeting of _____.

Claire F. Funkhouser, CMC, City Clerk



R-1:	Residential Estate
R-2:	Suburban Residential
R-3:	Medium Density Residential
R-4:	One-Family Detached
R-5:	One-Family Detached
R-6:	One-Family Detached
R-7:	One-Family Detached
R-8:	One-Family Detached
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R-99:	One-Family Detached
R-100:	One-Family Detached

Transitional District Boundary
Town Center Performance District Boundary
Town Center Planning Area Boundary
Rockville Pike Corridor Boundary
Twinbrook Metro Performance District Boundary
Rockville City Limits
Special Section

